

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 17-20830

DEONNE DOTSON,

Defendant.

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**OPINION AND ORDER DENYING DEFENDANT’S MOTION TO RECUSE**

Pending before the court is Defendant’s most recent attempt to remove the undersigned judge from this case. Defendant files the instant motion pursuant to 28 U.S.C. § 144 and 28 U.S.C. § 455(a) and raises the same argument he raised in his earlier motion for reassignment; that the undersigned’s “opinion that the sentencing guidelines are simply inadequate,” based on statements made by the court in sentencing a defendant in another case, necessities recusal in the present action. (ECF No. 122, PageID.1374.) This precise argument was twice rejected by this court— its order denying Defendant’s motion for reassignment (ECF No. 49) and its order denying reconsideration (ECF No. 57)—*and* twice rejected by the Sixth Circuit Court of Appeals, first in its order denying Defendant’s petition for a writ of mandamus (ECF No. 61), and second in its order denying Defendant’s motion for rehearing en banc. *Order Denying Rehearing En Banc, In Re: Deonne Dotson*, No. 19-1682 (6th Cir. Dec. 4, 2019).

As the court explained in detail in its order denying Defendant’s motion for reassignment, “judicial rulings alone almost never constitute a valid basis for a bias or partiality motion.” *Liteky v. United States*, 510 U.S. 540, 555 (1994). Thus, the court’s

statements to a different defendant in another case do not justify recusal. The only difference between the Defendant's initial motion for reassignment and his current motion to recuse is the procedural posture of this case; Defendant has now been found guilty on several charges by a jury and faces sentencing. The pending motion presents no compelling legal or factual basis for the court to depart from its earlier determination that recusal is not appropriate. Accordingly,

IT IS ORDERED that Defendant's Motion to Recuse (ECF No. 122) is DENIED.

s/Robert H. Cleland /  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: May 21, 2020

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, May 21, 2020, by electronic and/or ordinary mail.

s/Lisa Wagner /  
Case Manager and Deputy Clerk  
(810) 292-6522

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